HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.17963 of 1997

Dated: 03.10.2007

Between:
Smt.B.Deepa Sikha

… Petitioner

AND

The Collector and District Magistrate,
Hyderabad
. and others.

… Respondents

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.17963 of 1997

ORDER:-

This writ petition is filed for a writ of mandamus to set aside the order dated 20.2.1997 whereby the Community Certificate issued in favour of the petitioner was set aside by Respondent No2 – District Collector, Mahboobnagar. While this writ petition was pending, another order was passed by respondent No.1 on 23.8.1997 and the petitioner filed W.P.M.P.No.4595 of 2007 seeking permission to amend the writ petition in order to question the said proceedings also.

At the hearing when it was pointed out by the Court that the petitioner has an alternative remedy of filing a revision under Section 8 of the Andhra Pradesh (Scheduled Caste, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act 1993 (for short 'the Act') to question the said two orders which are questioned in this writ petition, the learned counsel for the petitioner Sri Srinivas Rao, after taking instructions, sought permission of the Court to permit the petitioner to avail the alternative remedy of revision by disposing of the writ petition without going into the merits. Sri A.Venkata Ramana, learned counsel for respondent No.5 and the learned Assistant Government Pleader for Social Welfare appearing for respondents 1 to 4 say that they have no objection for this course.

In view of the above, the writ petition is disposed of without going into the merits of the case with liberty to the petitioner to avail the remedy of revision under Section 8 of the Act to question the

aforementioned two orders within a period of four weeks from today and on such filing, the revisional authority (the Government) shall entertain and dispose of the revision on merits. Since the issue involved is of 10 years old, the revisional authority shall dispose of the revision, if filed within the stipulated time, within a period of eight weeks thereafter. It is made clear that till the disposal of the revision, status quo as on today shall be maintained with reference to the post held by the petitioner.

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C.V.NAGARJUNA REDDY,J

Date:03.10.2007

Note:
Issue C.C. by Monday (08.10.2007)
B/o.
mdaa

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